

09/163,771

RemarksA. Period For Reply

A shortened statutory period was set to expire three months from the Office Action of March 6, 2006. March 6, 2006 plus three months is June 6, 2006. This paper is being filed on or before June 6, 2006.

B. Status

The Office Action was nonfinal.

C. Disposition Of Claims

Claims 38-45 are pending.

D. Application Papers

If and when a Notice of Allowance issues, then formal drawings will be filed.

E. Priority under 35 U.S.C. §§ 119 and 120

This case does not claim foreign priority.

As to domestic priority, applicant claims the benefit of U.S. Patent Application 08/794,429 and U.S. Provisional Patent Application 60/011,265 filed February 7, 1996. If required, acknowledgement of such would be appreciated.

F. The Office Action

In section 1 of the Office Action, the status of the case was set out.

In section 2 of the Office Action, the disclosure was objected to. It was stated that the specification should be amended to reflect that the parent application 08/794,429 has issued as U.S. Patent 5,848,513. In response, the specification has been so amended. Please see the above

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Amendment to the Specification.

In section 3 of the Office Action, claims 38 and 40 were objected to. It was stated that "the flange engaged to the wall structure" lacks proper antecedent basis and that there is no positive recitation of the I-joist in combination with a wall and/or overhang. In response, each of independent claims 38 and 40 have been amended to correct the antecedent and positive recitation issues.

In section 4 of the Office Action, it was stated that the text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

In sections 5 and 6 of the Office Action, claims 38-40 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 1,4345,401 to Lachman. This rejection is respectfully traversed. It was stated that the recitation "soffit" has not been given patentable weight because the recitation occurs in the preamble. Please note that the body of each of independent claims 38-40 now positively recites a soffit.

In section 7 of the Office Action, claims 41-45 were allowed. This is very much appreciated.

In section 8 of the Office Action, form PTO-984 is noted. The issues as to the formal drawings will be addressed if and when a Notice of Allowance issues.

In section 9 of the Office Action, it was stated that the prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

In section 10 of the Office Action, contact information with the Patent Office was provided.

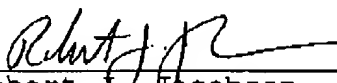
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G. Summary

Applicant respectfully submits that the present application is in condition for allowance. The Examiner is respectfully invited to make contact with the undersigned by telephone if such would advance prosecution of this case.

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